THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

W.P.No.16065 of 2005

Dated 28th day of July, 2005

Between:

1. Gajji Appa Rao, s/o. Appanna,

aged about 52 years, Occ: Farmer,

r/o. Tetagunta village, Tuni Mandalam,

East Godavari District and another …. **Petitioners**

And

1. The State of A.P. rep.by its

District Collector, East Godavari Dist.

Kakinada, and 4 others …. **Respondents**

ORDER:

The writ petition is filed seeking a Mandamus to direct the respondents not to dispossess the first petitioner from Survey Nos.378/1, 378/3A, 378/3C, 210/1, & 454/1 and the second petitioner from Survey No.393 of Tetagunta Village of Tuni Mandal except in accordance with law.

Heard the learned the counsel for the petitioners and the learned Government Pleader for Revenue, appearing on behalf of the respondents.

The only grievance of the petitioners is that the respondents are trying to dispossess them from the lands in question, for the purpose of canal, which is, admittedly, yet to

be finalized. No notice has been issued to the petitioners requiring their lands for the purpose of alignment of the canal. The writ petition seems to be filed only on mere apprehension. It cannot be presumed the respondents, under law, will evict the petitioners without following the due process of law. However, the respondents are directed not to dispossess the petitioners without following the due process of law.

With the above observation, the writ petition is disposed of at the stage of admission. No costs.

ELIPE DHARMA RAO, J

Date: 28th July, 2005

lsn